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CLERK

Attorney for Plaintiff
PETER B. CARLISLE

IN THE CIRCUIT COURT OF THE FIRST CIRCUIT

STATE OF HAWAII

PETER B. CARLISLE,

Plaintiff,

v.

CITY AND COUNTY OF HONOLULU,

Defendant.

CIVIL NO. 19-1-1082-07 11th Div.
(Declaratory Judgment)

COMPLAINT FOR DECLARATORY
JUDGMENT; SUMMONS

COMPLAINT FOR DECLARATORY JUDGMENT

Plaintiff Peter B. Carlisle hereby asserts the following complaint against the defendant identified herein, and alleges and avers as follows:

1. Peter B. Carlisle ("Carlisle") is and was at all relevant times herein a resident of the City and County of Honolulu, State of Hawai'i.
2. Defendant City and County of Honolulu is the municipal corporation organized under the laws of the State of Hawai'i to be the administrative department of the City and County of Honolulu.
3. This Court has jurisdiction over this matter pursuant to, among other authorities, Hawai'i Revised Statutes ("HRS") §§ 632-1 and 603-21.5.

RECEIVED

\$ 315.00

4. Venue is proper under HRS § 603-36 because this circuit is where the claim for relief arises.

5. The *Revised Charter of the City & County of Honolulu 1973 (2017 Edition)* states in pertinent part as follows:

Section 8-103. Prosecuting Attorney, Qualifications –

The prosecuting attorney shall be a duly registered voter of the city, an attorney licensed to practice and in good standing before the supreme court of the state, who shall have engaged in the practice of law for at least five years, and who shall have been actively involved in criminal cases for at least three years within ten years next preceding the prosecuting attorney's election.

6. In order to run in the 2020 election for the City and County of Honolulu Prosecuting Attorney position, a candidate must file a nomination paper on or before June 2, 2020.

7. That nomination paper requires the candidate to certify that he/she is qualified under the law for the office sought.

8. Carlisle intends to run in the 2020 election for the City and County of Honolulu Prosecuting Attorney position.

9. Carlisle was the Prosecuting Attorney for the City and County of Honolulu from 1996 to 2010.


10. For the past 10 years, Carlisle has been drafting a lengthy discourse that will serve as an instructional memorandum on how to try a murder case without an actual body.

11. That writing is based on Carlisle's experience as the Prosecuting Attorney for 14 years and specifically discusses the legal issues presented in *State of Hawai'i v. Kirk Matthew Lankford*, CR No. 1PC071000822.

12. In addition, for the past 10 years, Carlisle has been interviewed by various media outlets to give his opinion regarding ongoing criminal cases.

13. Accordingly, Carlisle seeks a declaratory judgment from this Court finding that he is qualified to run for the 2020 City and County of Honolulu Prosecuting Attorney position.

DATED: Honolulu, Hawai'i, 7/9/19.



Megan K. Rau
Counsel for Plaintiff
Peter B. Carlisle

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SUMMONS

SUMMONS

STATE OF HAWAII

TO THE ABOVE-NAMED DEFENDANT(S):

You are hereby summoned and required to file with the court and serve upon Megan K. Kau, Plaintiffs' attorney, whose address is 820 Mililani Street, Suite 701, Honolulu, Hawaii 96813, an answer to the *Complaint for Declaratory Judgment* which is herewith served upon you, within twenty days after service of this summons upon you, exclusive of the date of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint.

THIS SUMMONS SHALL NOT BE PERSONALLY DELIVERED BETWEEN 10:00 P.M. AND 6:00 A.M. ON PREMISES NOT OPEN TO THE GENERAL PUBLIC, UNLESS A JUDGE OF THE ABOVE-ENTITLED COURT PERMITS, IN WRITING ON THIS SUMMONS, PERSONAL DELIVERY DURING THOSE HOURS.

A FAILURE TO OBEY THIS SUMMONS MAY RESULT IN AN ENTRY OF DEFAULT AND DEFAULT JUDGMENT AGAINST THE DISOBEYING PERSON OR PARTY.

DATED: Honolulu, Hawai'i _____

n. Gray

CLERK OF THE ABOVE-ENTITLED COURT